



# The Rendezvous

The Official Bulletin of the Idaho Outfitters and Guides  
Licensing Board

**Fall – 2005**

## **NEW BOARD MEMBERS**

Travis Bullock and Marcus Gibbs have been appointed to the Licensing Board.

Mr. Bullock owns Mile High Outfitters. He provides big game hunting and recreational opportunities in the Middle Fork of Salmon area and operates out of Challis. He replaces Scott Farr as one of the Board's three required outfitter members.

Mr. Gibbs farms near Grace and is finishing his second term on the Idaho Fish and Game Commission. He is currently the Chairman. He replaces Ray Lyon as the IDFG representative on the Board. All Board members serve three-year terms.

Both Mr. Farr and Mr. Lyon served several terms on the Board. The Board and the staff thank them for the years of service.

## **OUTFITTER TAG ALLOCATION UPDATE**

The revised Outfitter Big Game tag allocation manual is available on IOGLB's website [www.state.id.us/oglb](http://www.state.id.us/oglb). Please contact us if you have questions.

### **Zoned Allocation Recalculation Schedule:**

- Lolo Zone was recalculated in 2004 and went into effect this year.
- Middle Fork & Selway Zones have just recently been recalculated in 2005 and will go into effect in 2006. Outfitters that hold allocation in these zones should expect a letter in the near future informing them of their new allocation.
- Elk City & Dworshak Zones will be recalculated in 2006 and will go into effect in 2007

### **Allocation Invoice and Recap Information:**

Pursuant to Board rule 015. (08.d) that went into effect in July 2005, IOGLB will implement a five-dollar (\$5) fee that will be assessed for each allocated tag. Outfitters will be given a one-year grace period for implementation. In the next few weeks, all outfitters

that have deer and elk tag allocation will receive an example billing invoice and letter of explanation. This year (2005 season) the invoice is for notification only and outfitters will not be expected to pay the fee until they receive the 2006 voucher billing invoice. This will happen in August 2006. The fee is intended to partially recover costs for IOGLB's management of the outfitter allocation tags.

The invoice will replace the recap form that was used in conjunction with the allocation policy prior to the revision that went into effect this year.

## **LICENSING UPDATE**

Outfitter and Designated Agent license renewal packets for 2006 will be mailed by IOGLB the week of November 14<sup>th</sup>. These applications must be properly submitted by January 31, 2006 to avoid special processing fees. Special processing fees went into effect last year, although, the Board allowed last year as a grace period for the industry to become aware of the new fees.

The 2006 renewal packet will include an additional user guide explaining how to submit guide license renewals online. The online guide renewal system is going into its second year of operation. To date, approximately 70% of the annual guide license renewals have been online.

Outfitters and Designated Agents are asked to remember that if a training form for activities is required for a guide amendment completed online, please fax the training with a copy of the receipt of the online transaction to IOGLB before the license is issued. Online amendment receipts are not 20-day temporary licenses.

We anticipate that the online system will be upgraded to accommodate the submittal of training logs and new guide applications sometime in 2006. The capability for outfitters to submit use reports should be available the following year.

## **ATTENTION ALL SKI OUTFITTERS**

Please remember to include the Ski Guide Checklist form (OG-19) when you submit your ski guide applications or amendments. This form is now available on our website. The Ski Guide Checklist has been created to help make the application process more efficient when submitting and processing a ski guide application. It is important that the applications are complete and include all applicable documentation, cards, and certificates showing proof of completion before the application can be forward to the Technical Advisory Committee (TAC) for review. Incomplete applications or amendments will not be sent to the Committee for review or processed and will be returned to the employing outfitter.

Three additional members have been appointed to the IOGLB TAC. This filled all available vacancies on the five-member committee.

The new members are Mark Baumgardner, Sun Valley Heli Ski Guides, Inc.; Dana Olson, Outdoor Program Director for Idaho State University; and Michael Beiser, Outdoor Program Coordinator, University of Idaho. The existing members are Kirk Bachman, Sawtooth Mountain Guides; and Bob Rosso, owner of the Elephant Perch in Ketchum.

### **WE WANT TO HEAR FROM YOU**

Have an idea, suggestion, concern, or complaint? The best way to communicate with us is through e-mail. IOGLB email address is [licensing@oglb.state.id.us](mailto:licensing@oglb.state.id.us). Staff will try to respond within 48 hours. You may also call at (208) 327-7380.

## **ENFORCEMENT REPORT**

Enforcement opened 115 cases in the first six months of 2005. Case origination is broken down into five (5) regions throughout the state and a case is cataloged into one of these regions to determine where the workload is originating.

<b>REGIONS</b>	<b>115</b>	
Admin (Licensing)	41	36%
Northern Region	23	20%
Central Region	28	24%
Southern Region	4	3%
Eastern Region	19	17%

The types of cases investigated so far in 2005 are placed in the following categories:

<b>OPENED</b>	<b>115</b>	
Licensing	37	32%
Advertising	0	0%
Felony	0	0%
Forest Service	1	1%
Conduct	10	9%
Fish & Game	2	2%
Contract	3	3%
Out of Area	3	3%
Unlicensed O/G	23	20%
Lic-Illegal O/G	11	10%
Inhumane treat	0	0%
No DA	0	0%
No animal food	0	0%
Public Service	0	0%
Noncompliance	25	22%

Cases were closed in 2004 with the following dispositions.

<b>CLOSED</b>	<b>109</b>	
Unfounded	46	42%
Citation	9	8%
Complaint requiring appearance	5	5%
Letter of Instruction	12	11%
Verbal Caution	2	2%
Refer-Agency	1	1%
Refused-Prosecute	3	3%
Refund	0	0%
Pending - no leads	7	6%
No Action	4	4%
Probation License	17	16%
Denied License	3	3%

IOGLB Enforcement has been working closely with the IDFG as well as the Federal Agencies on covert (under cover) operations. Since 2003, we are now on our thirty-second (32nd) covert operation with fifteen (15) arrests.

- 32 Operations
  - 28 Unlicensed
  - 04 Licensed
- 12 Completed Operations
  - 16 Arrests
- 20 Open Operations

## **ENFORCEMENT TOPIC REVIEW**

In every newsletter, a new topic will be reviewed to assist outfitters and guides in comprehending the major points of that topic. We are looking for topics that you would like us address in the future. Please submit requests to [enforcement@oglb.state.id.us](mailto:enforcement@oglb.state.id.us).

This newsletter's topic is License Requirements. During this last year, agents have contacted many guides in the field that seem to be confused about license requirements.

### **36-2104 License is a prerequisite**

It is a misdemeanor for any person to engage in the business of or act in the capacity of an outfitter or outfitting, or in the occupation of guiding, unless such person has first secured an outfitter's or guide's license in accordance with the provisions of the Outfitters and Guides Act.

It is also a misdemeanor for any person to knowingly and willingly conspire to violate the provisions of the Outfitters and Guide Act.

### **IDAPA 25.01.01.004 - Requirements**

An outfitter and/or guide license must be secured and in the possession of the licensee before commencing outfitting, guiding, or acting in any capacity as an outfitter or guide. The submission of a license application does not fulfill this requirement.

An outfitter's license shall have set forth upon its face or an attachment thereto the operating area and the specific activities including client and harvest limitations or restrictions, which the licensee is authorized to conduct.

A guide license shall specify the activities for which the licensee is qualified to guide. The licensee shall guide only within the operating area and for activities covered by the employing outfitter's license.

### **IDAPA 25.01.01.005 - Production**

A license must be in possession of the licensee while engaged in outfitting or guiding and must be produced upon the request of an authorized person.

The statute and rules appear to be clear and straightforward, yet numerous guides are not carrying their guide license, guiding unlicensed activities, and guiding in areas they are not licensed.

Many times an agent is able to quickly and efficiently resolve a report of a licensed guide out of his/her area

or a report of an illegal guide by checking the individual for a license and discovering that the individual is licensed correctly and is just new or being "borrowed" by another outfitter.

The amount of time spent by agents to verify license requirements for a guide that was contacted in the field and did not have his/her guide license immediately accessible takes away from the time agents can spend pursuing non-licensed individuals.

The Enforcement Division of IOGLB has two main objectives: one - to regulate licensed outfitters and guides to ensure that their compliance with statutes and rules promulgated to protect the health, safety and welfare of the public; and the other - to pursue individuals who are outfitting and guiding without a license.

IOGLB Enforcement agents would rather spend more time and resources pursuing unlicensed individuals but at the same time, we cannot overlook our agency's responsibility of ensuring licensed outfitters and guides adhere to the statutes and rules.

Our agents do not know all the guides and often have so limited contact with a guide that even if the agent had previously checked a guide, the agent may not recognize the guide again. If a guide has his/her license immediately available, the contact is usually very brief.

Clients often advise IOGLB Enforcement that they appreciate knowing that guides and equipment are being checked to insure their safety. If the guide has his/her license, the contact is pleasant, brief and provides an opportunity for guides to promote themselves and their outfitters.

### **New Enforcement Procedure**

In the past, Enforcement Agents have issued warnings to guides for various minor violations such as "No license on person". This procedure was largely due to the statute that outlined the fine for such a violation at \$100.00.

Enforcement proposed to the Board that certain minor rule violations be classified as "Infractions" and the fine amount be reduced to \$50.00. These "Infraction" violations will not count as reportable rule violations unless there are repeated offenses.

The Board approved the proposal and approved certain violations classified as "Infractions". Even though a \$50.00 fine is still assessed for these "Infractions", a person will be allowed three such violations (Infractions) before he/she may be

summoned to the Board for further disciplinary review.

"Infractions" are:

- Camp – (012) Un-neat, un-orderly and/or unsanitary
- Equip – (054) Fire Extinguisher – none/improper
- Equip – (006) First aid kit – none/substandard
- Equip – (054) Identification – No name of boat
- Equip – (054) Identification – No Clearwater Sticker
- License – (005) No license on person
- Restriction – (055) Boating guide ratio
- Restriction – (002) Float boat with motor
- Restriction – (063) Snowmobile guide ratio
- Restriction – (059) Too many boats on river

Agents have been authorized to issue a "Stipulation and Consent Agreement for Informal Disposition" to guides for "Infraction" violations that wish to resolve the violation by paying the \$50.00 pre-set fine. Guides can always ask to appear before the Board on any violation rather than accept the stipulation.

It is Enforcement's goal to handle these "Infraction" violations as efficiently and expeditiously as possible.

## **NEW OPPORTUNITY**

**Units 25** – A prospectus inviting applications for outfitted and guided hunting for cougar, bear, elk and deer in the Krassel Ranger District has been initiated. The area is situated within portions of Idaho Department of Fish and Game (IDFG) Management Units 25. This opportunity is available to existing outfitters operating on the Payette National Forest and is intended to supplement an existing outfitter business through an amendment to an existing license. Applications will be accepted until 5:00 pm, November 18, 2005.

## **CLARIFICATION OF FISHING LICENSES FOR STEELHEAD CLIENTS**

Apparently in some instances where outfitter clients have been purchasing the wrong fishing licenses for steelhead fishing, Ed Schriever, Fisheries Manager, Clearwater Region IDFG has asked IOGLB to communicate with the outfitters asking them to help eliminate the confusion.

The most common mistake made is that folks are buying a daily fishing license for a one-day trip. Daily fishing licenses are NOT legal for steelhead (or salmon) fishing because a steelhead card cannot be attached to the license. Additional days may be added to daily licenses, but a steelhead or salmon permit cannot be purchased with this type of license.

There are two options:

1. Purchase a 3-Day salmon/steelhead license (\$28.50). This license includes a punch card (permit) and the holder of this license can also legally fish for all other species with an open season. This license is only valid for three consecutive days and they need to specify which days they want it valid for when they buy it. The same individual can purchase multiple 3-Day licenses in the same year.
2. Purchase a season fishing license (resident - \$23.50, non-resident - \$74.50) AND a steelhead permit (\$11.50). These are valid for the entire calendar year and if purchased at the beginning of the year, are valid for both spring and fall steelhead season. The season fishing license also entitles the holder to fish in all other waters of the State with an open season.

Some outfitters on the Clearwater are having their clients purchase Nez Perce tribal fishing permits. This is legal, but IDFG would like to remind folks that these are valid only on the Clearwater River within the boundary of the reservation. Holders of a NPT license can't fish downstream of Hatwai Creek (near the Casino) or anywhere in the Snake or Salmon rivers. Mr. Schriever points out that the revenue generated from the sale of State salmon and steelhead cards goes back into managing these fisheries, including access ramps and facilities and creel census. It is his understanding that revenue from tribal steelhead and salmon license sales does not provide any fishery support or enhancement. Idaho licensed outfitters are also being asked to help support the fisheries they are utilizing by encouraging their clients to purchase State licenses and tags.

**IOGLB's website is [www.state.id.us/oglb](http://www.state.id.us/oglb)**